

TERMINATION AND SETTLEMENT AGREEMENT

THIS TERMINATION AND SETTLEMENT AGREEMENT (“Agreement”) is made and entered into this 11th day of May, 2016, by and between the Board of Education of the Mesa Vista Consolidated Schools (“School District”), whose address is P.O. Box 309, Ojo Caliente, New Mexico 87549 and Telcom Solutions, Inc., (“Contractor”), whose address is 6404 Oak Hill Court, Albuquerque, New Mexico 87111, with respect to the following:

Recitals

WHEREAS, the School District and the Contractor wish to terminate their contractual relationship made pursuant to a Professional Services Agreement dated April 27, 2015 (“PSA”), upon payment of an agreed amount of final compensation, and to settle all Contractor claims related thereto.

NOW THEREFORE, in consideration of the Recitals above and the terms, conditions, covenants and warranties herein to be performed by the parties, it is hereby agreed as follows:

Terms and Conditions

1. On the date of this Agreement, the School District will pay Contractor \$14,665.00 in full satisfaction of all claims that have been or could be made pursuant to the PSA.
2. The PSA is hereby terminated.
3. Contractor hereby irrevocably releases acquirs and forever discharges the School District and its board, directors, officers, employees, affiliates, agents, attorneys, insurers, successors and assigns, of and from any and all claims, demands, and causes of action owned or held by Contractor that exist prior to the execution of this Agreement, whether arising by statute, in contract, or in tort, or based upon negligence, promissory estoppel, breach of fiduciary duty, breach of duties of good faith and fair dealing, fraud, misrepresentation, or any other theory of recovery, known or unknown.
4. The law of New Mexico will govern this Agreement. If any party has to take any action to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its/his/her reasonable attorney’s fees and costs.

By signing below, each party certifies that it is authorized to obligate its organization to the terms and conditions of this Agreement.

BOARD OF EDUCATION OF THE MESA VISTA CONSOLIDATED SCHOOLS

By: _____, Its _____

Date: _____

TELCOM SOLUTIONS, INC.

By: David Maestas, Its: President

Date: _____

